

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7156

Amended Petition of UPC Vermont Wind, LLC, for)
a Certificate of Public Good, pursuant to)
30 V.S.A. § 248, authorizing the construction and)
operation of a 40 MW wind electric generation)
facility, consisting of 16 wind turbines, and)
associated transmission and interconnection)
facilities, in Sheffield and Sutton, Vermont, to be)
known as the "Sheffield Wind Project")

Order entered: 10/28/2009

ORDER RE COMPLIANCE FILINGS

On August 8, 2007, the Public Service Board ("Board") issued a Certificate of Public Good ("CPG") to Vermont Wind, LLC ("Vermont Wind"). On August 13, 2009, Vermont Wind filed documents relating to certain of the conditions contained in the August 8 CPG.¹

On August 27, 2009, the Vermont Department of Public Service ("Department") filed a letter stating that the August 13 filings do not raise any significant issues with respect to the substantive criteria of 30 V.S.A. § 248 and can be approved without the need for additional process or hearings. The Department contends that the proposed revisions to the site plans will not result in increased aesthetic impact or interfere with orderly development provided that Vermont Wind is still required to maintain the existing mature vegetative buffer in the vicinity of the proposed site for the substation and maintenance building. No other party filed comments on the August 13 filings.

On September 2, 2009, Vermont Wind filed a letter stating that it agrees with the Department's request to retain the vegetative buffer near the substation and maintenance building.

We have reviewed Vermont Wind's August 13 filings. To the extent that Board approval is required, we approve the August 13 filings, with one exception. Attachment H contains three

1. Vermont Wind also filed overweight local road permits and an amendment to its agreement with the Town of Sheffield, neither of which is required to be filed by the CPG conditions.

proposed alternatives to the approved design plans. Design Alternative 1 proposes changes to the access road near Turbine 9. The proposed reconfiguration of the access road appears to increase the impact on a stream connecting two wetlands. The proposed Design Alternative was not accompanied by any meaningful analysis of the impact on the stream, and accordingly, the Board cannot determine whether the proposed reconfiguration will have an undue adverse impact on the stream or nearby wetlands. We deny the request to alter the configuration of the access road near Turbine 9 and required Vermont Wind to institute the site plan for this area that was approved by the Board on December 10, 2008. Should Vermont Wind wish to pursue the modification of this access road, it must file additional and adequate supporting information addressing impacts on the stream and wetlands.

SO ORDERED.

Dated at Montpelier, Vermont, this 28th day of October, 2009.

<u>s/James Volz</u>)	
)	PUBLIC SERVICE
)	
<u>s/David C. Coen</u>)	BOARD
)	
)	OF VERMONT
<u>s/John D. Burke</u>)	

OFFICE OF THE CLERK

FILED: October 28, 2009

ATTEST: s/Judith C. Whitney
Deputy Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)